WASHINGTON, WEDNESDAY, OCTOBER 30, 1901.

HINTING AT A CONSPIRACY

Mr. Jerome Gives Warning Re garding a Certain Transaction.

Declares He Has Use for His Life, and That He Is Well Informed-Names of the Tenderlein Wardmen Used-Shepard Replies to Mr. Black

NEW YORK, Oct. 19.-At a meeting b Stein's Garden on West geventh Street tonight. Justice Jerom the most significant he has made through out the campaign. A little oratories flight of the chairman of the meeting gave Justice Jerome his cue. The chairma about the monument to Nathan Hale in City Hall Park, and after repeating Hale's

last words, said:

"If Justice Jerome should less his life in this fight I know that his last words would be that he regretted that he had but one life to lose for his city."

Then Justice Jerome got up. He said as a preliminary to his addrass:

"As far as losing life is concerned, I want to say right now, and I hope the newspaper boys will get it so that it may be understood by those who apparently do not understand the extent of noy information, that I am perfectly eignizant of the transactions that have taken piace between Edward Glesmon and Mr. Devanney, of the Nineteenth predict, and a certain gentleman named Blink McGovern, and all that crowd there. Now, as far as losing my life is concerned, I value it very much, and have a great deal more use for it. I hope you will put me in office so that I can use it in your business, too, and then I think you will see that it was worth saving." "We know it's worth saving, judge," yelled the crowd. "We'll protect you,

After this meeting the reporters asked Justice Jerome what he meant by the hint at a conspiracy on the part of the Tenderfoin wardmen and "Blink MeGoycta. He repiled that he had said all that he could on that point in his speech.

Edward M. Shepard made a speech tonight at Carnogle Hall. So did John B. Stanchfield, who was the Democratic candidate for Governor last fall. Both Mr. Shepard and Mr. Stanchfield had much to say about and against ex-Governor Black, who spoke from the same platform in the interests of Seth Low on Monday night, and called Mr. Shepard a man in stocking feet, who was put into the window of an honest man's house by the gang outside, because if caught he would look innocent and new to the "business." After this meeting the reporters asked

mess."

Mr. Biack's speech seemed to have displeased Mr. Shejaard and Mr. Stanchfield very much, Besilies assailing ex-Governor Black quite vigorously, Mr. Shejaard denled that he was sixty years old, as Mr. Black has intimated, and asserted that by the provisions of the new charter he would be perfectly able to be the whole government of the city, no matter how had his associates in office were. He poked fun at the Stecklers, and assailed John C. Sheehan and Jacob A. Canton by way of answering the repeated enquiries Mr. Low has made as to Mr. Shepard's John C. Sheehan and Jacob A. Canton by why of answering the repeated enquiries Mr. Low has made as to Mr. Shepard's opinion of I. Fromme and Henry W. Unger, and said that he would throw out of office any Tammany Hall leader who was caught at any dirty work, even though, by so doing, he did "disintegrate Tammany Hall."

Theodore W. Myers presided at the meeting, which was held under the ausidees of the Business Men's Democratic Municipal Association. By the time the list of vice presidents had been read men were standing three deep at the back of the hall.

sall.
Shepard made this statement with regard to the problem of what would be-come of the pledge not to use the powers of his office to disintegrate Tammany Hall if he found a crocked Tammany man at

that I answer that, if I am th "To that I answer that, if I am there and a Tammany leader, or a Willoug by Street leader, or any leader of my own party in office is corrupt or inefficient, and if he is not sincerely loyal to his duty, under the powers of the mayor, I make a vacancy there at the first moment. Now, let me ask Mr. Low a question of mine. Even in Tammany Hall there may be some remnant of virtue. Suppose, by possibility, among those dozens of Tammany leaders or heads of is a Tammany leader? Answer me

POLICEMAN SHOT BY THIEVES the Robbers.

EAST ST. LOUIS, Oct. 29.-J. W. Brown. a special pollecman employed by the Vandalla Railroad Company, was shot and killed by car thieves this afternoon, after having killed one of the robbers. The tragedy occurred at Forest Lawn, three miles south of this city. Brown received information shortly af-

ter noon that thieves were robbing the cars of the Mobile and Ohio Railroad, for cial officer. Boarding a switch engine be hurried to the scene.

Upon searching among the cars, Brown found six tramps loaded with plunder. He demanded their surrender, but the robbers drew revolvers, and began shooting pistol out, and returned the fire of the men. His first shot went through the head of one, who fell dead. Before Brown could pull the trigger a second time, a bullet hit him in the chest, and he plunged forward alongside the man he

plunged forward alongside the man he had killed.

Railroad men, attracted by the firing harried to the scene and started in pursuit of the fugitives, capturing two of them in Fast Carondolet. Three others got away, and are supposed to hate crossed over into Missouri.

Brown was forty-five years old and leaves a widow and several children. Forest Lawn, where the tragedy occurred, is the place where several Mobile and Ohio trains have been held up. It is five miles from telephone or telegraph com-

THE GEBHARD ALIMONY.

Details Said to Have Been Arranged

Last April. SIOUX FALLS, S. D., Oct. 29.-It to learned tonight from the best authority that the alimony in the Gebhard divorce case was in reality settled before Gebhard came to South Dakota last April. According to this information, he and his wife mutually agreed to separate some months before he thought of com-ing to Sioux Falls to obtain a divorce, and at that time he placed in the hands of trustees in New York City a certain sum of money the exact amount of which is unknown, the interest upon which should be paid to Mrs. Gebhard during her life. During the brief time that Mrs. Gebhard was in Sloux Falls

that Mrs. Gobhard was in Sloux Falls last Saturday there were no menery transactions between her and Mr. Gebhard, except the payment to her by him of the \$1.99 awarded to her by the court to cover the costs of her trip to Sloux Falls, attorneys fees, etc.

Nothing whatever was done here in reference to the question of alimony, which bears out the statement that this matter was settled before Gebhard came to Sloux Falls. According to this same nuthority, the New York residence of the Gebhards was not included in the alimony, as has been reported. Had it been, the deed would have gone en record prior to last April, when Gebhard came to South Dakota.

\$1.00 Doors, 11-2 inch thick, by

THE COURT AT HOHAN-FU. The Emperor Reaches the Ancient Capital of China.

PEKING, Oct. 39.—The Emperor has ar-ived at Honan-fu, the ancient Chinese apital, and has given an audience for

An imperial post route has been estab shed to Kaifeng-fu, to meet the require-tents of the Court during its temporary tay at that place. The Chinese will not in the matter of meeting the competion of foreign postoffices in China, which uring the last year has resulted in act e motus) rivalry; but will maintain oir individual polley of extending their otal service in all directions in the in-

BOERS' DETERMINED ATTACK. Delarey and Kemp Repulsed Only After Severe Fighting.

LONDON, Oct. 29.-General Lord Kitchener reports that General Methuen re-ports that the Boer commandants, Delarey and Kemp, attacked Vandonop's column on October 24 near the Great Ma-rico River. The attack was made with terday was brought mainly by refugees great determination and was repulsed after severe fighting. The Boers left forty dead on the field, including Commanicated that they did not know what had dant Oesterhuysen. Two Eritish officers and twenty-six men were killed and five groes took refuge at Lumberton, Miss., officers and fifty men wounded. The which is just across the Pearl River from

the eastern part of Cape Colony conin the eastern part of Cape Colony con-tinue to avoid his columns.

General Kitchener cables the War Office from Pretoria that since his last weekly report of October 21, 44 Boers have been killed, 15 wounded, 32 captured, and there have been 45 surrenders. Lord Kitchener also confirms the previous report of Gen-eral Botha's narrow escape from being captured.

would otherwise fall under English in-

TO AID FRENCH SHIPPING.

ion. The Premier appealed to the house o-operate with the Government.

A Report That He Will Cruise on a Warship.

ROME, Oct 29.-The "Italie" publishes version of the visit of the Duke Abruzzi to the United States, which is the effect that he will take command f a swift cruiser at the beginning of next year and make a fourteen months' cruise ong the American coasts.

THE FIRST STATE FUNCTION.

Opening of Parliament Likely to He With Full Ceremonial.

that it is probable that King Edward will open Parliament on January 22. This will e the first full state ceremony of the King's relga, as the period of court mourring terminates on the previous day, which will be the anniversary of Queen Victoria's death.

To Succeed Sir John Day. LONDON, Get. 29. Arthur Richard Jelf, K. C., has been appointed judge of Court of Justice, to succeed Sir John Day, who recently retired.

Safety Bicycle Inventor Dend. LONFON, Oct 28-J. K. Starley, the inventor of the safety bicycle, died at

Delightful trips daily at 6:30 p. m. from foot 7th st. to Old Point, Norfolk, Virginia Beach, and Newport News, General Ticket Orlice, Bond Bidg., 14th st. and N. Y. sve, 'Phone, 2206.

12 inch Bright Board, \$1.50 per 100 | Dressed Common Lumber, \$1:25 per

Danger From Race Riots Over at Live Oak Church, La.

Local Sheriff Telegraphs That Troops Will Not Be Needed-The True Story of the Battle Between Negroes and the Posse on Monday

NEW ORLEANS Oct 29.-Governor Heard received a telegram from Sheriff Simmons, of Washington, today, an-nouncing that the trouble in that parish was over; that he was in control and able to preserve peace and order, and that the troops he had asked for were not the Louislana Field Artillery, which were under arms ready to leave for Balltown today, were accordingly relieved from

The truth as to the affair is at last out. Live Oak Church, the riot occurred, is a part of the Balltown settlement, the negro quarter, and only two miles from Bail's store. It is twenty miles from the nearest town or telegraph sta-Boers captured eight wagons.

General French reports that the Boers ty. They seemed frightened to death. ould not give coherent stories, and, as a general thing, did not tell the truth. Hence the confusion as to the news. The facts

content is noted bis columns.

General Kitchener cables the War Office from Pretoria that since his hast weekly report of October 21, 74 Boers have been clied, it for wonded, 32 captured, and there have been 45 surrenders. Lord Kitchener care Betha's narrow escape from being captured.

BOTHA'S CAMP SURPRISED.

The Boer Lender Again Eiudes the British.

PRETORIA, Oct. 22—Remington's column surprised the langer of General Boths, the Boer commander-lis-chief. General Boths succeeded it making his escape a few hundred yards in advance of Remington's emo, leaving his hat and revolver behind. Botha's papers were secured.

A Naturnlized American Expelled for Exading Military Service.

BERLIN, Oct. 22—Joseph Herrings, a naturalized American, who was war correspondent for the "Staats Zeitung" in Cuba in 1898, and who also acted in China last year for American journals, has received in the amnesty holds good it only cancelled the punishment and not the offence. Mr. Herrings lately received notice of rhis expulsion from Pussian. The notice was first given out in Jaly, the Savarian Government in the amnesty of 1898, but the Prussian police assert that even if the amnesty holds good it only cancelled the punishment and not the offence. Mr. Herrings lately received notice of rhis expulsion from Pussian the country.

This sentence was annulled by the Bayarian Government in the amnesty of 1896, but the Prussian police assert that even if the amnesty holds good it only cancelled the punishment and not the offence. Mr. Herrings lately received notice to quit Prussia before November 1.

CONCESSION TO BE RATIFED.

Prench Cabinet to Act in the Matter of the Bayarian, in return for his advance of the meney to complete the construction of the Jibutil railway, which would otherwise fail under English in work of the meney to complete the construction of the Jibutil railway, which would otherwise fail under English in would

TO AID FRENCH SHIPPING.

M. Millerand Declares Bounties to Steamers the Only Remedy.

PARIS, Oct. 22—M. Millerand, Minister of Commerce, today introduced in the Chamber of Deputies a merchant shipping bounties bill. In reviewing the decline of French shipping, he contended that the only remedy was to withdraw the bounties from sailing vessels and give them to steamers.

The bill would give French-built vessels a bounty of 27 francs per ton, which would be equivalent to rather more than 50 per cent on the cost of construction.

KOREAN LOAN DENIED.

Declared in Tokyo That Japan Has Not Advanced Money.

LONDON, Oct. 28—A despatch to the "Times" from Tokyo says that the report of a Japanese loan to Korea is absolutely unitue.

TO RELIEVE DEPRESSION.

The Austrian Government Proposes to Place Extensive Orders.

VIENNA, Oct. 29—Speaking in the lower house of the Reichsrath the Prime Minister, Dr. Koerber, said that in virtue of the reproductive works bill and the hudget estimates, extensive orders had been or would be placed with the various state departments to the value of 129,920-600 kronon.

This step is taken with a view to relieving the prevailing industrial depression. The Premier appealed to the house to co-operate with the Government.

negroes.

Peace is restored, but a posse under the sheriff is still patrolling the parish to prevent any new outbreak.

ELEPHANTS IN A WRECK.

Near Baton Rouge. NEW ORLEANS, Oct. 28.-Forepain

right, were wrecked by running into freight train one mile this side of Bato Rouge at noon today. Four carloads of animal cases we

torn open, but the elephants were turns loose in the country. They were afterward corralled acc driven into Baton Rouge. Three mer Gift From J. D. Rockefeller. RERLIN, Oct. 26 - John D. Bockefelle as given \$10,000 toward the fund for udiding an American church here. The

The Plague at Liverpool.

nd now amounts to \$55,000, and work o

onable deaths here have been officially dague. Three doubtful cases have bee

BOGUS CENT COINERS CAUGHT. NO MORE TROUBLE FEARED Gang of Counterfelters Arreste in Three Cities.

NEW YORK, Oct. 29.-United States ecret Service agents made arrests today in three cities of members of a gang of counterfeiters who for a year or more have been floating counterfeit pennies. The counterfelting plant itself, which up to two months ago was operated in the attic of a house on Fulton Street, Brook-lyn, was seized in Boston, and at the ime time William Weiner and Israe Usher, both of whom formerly lived in

this city, were arrested. In Brooklyn, Michael Levine, a jeweler, at 107 Osborne Street, was arrested by Secret Service men and locked up in Raymond Street Jail, and Henry Lerner and Rosa Lerner, his daughter, were arrested The First Louisiana Cavalry and in Baltimore. The latter were both fugitives from justice, having been under dictment here since last February, Levine was held by United States Commissione

was held by United States Commissioner Morle in \$6,000 ball, and Lerner and his daughter by United States Commissioner Shields under \$550 ball each.

Secret Service agents have been at work on the case for over a year, but these are the first arrests of any importance. The first clew to the gang was discovered when, in January last, Fannie Lerner, the twelve-year-old daughter of Henry Lerner, was arrested in a Chinese store in Mott Street, this city, for attempting to pass twenty-five bad cents. The girl was indicted, and pleaded gullty. Sentence upon her was suspended by Judge Thomas.

upon her was suspended by Judge Thomas.

The investigation of her case, however, led to the indictment of her father, a jewelry peddier, who lived at Ill Stanton Street, and his daughter Rosa. Some time ago it was learned they were in Raitimore, but as they were wanted for passing the coins only and not for making them they were not arrested until the Secret Service men got the coiners.

Agent W. D. Flynn, in charge of the United States Secret Service in this city, considers the arrests of great importance.

MISSING COLLECTOR FOUND. W. H. Smith Returns to McKeesport

Broken in Mind.

McKEESPORT, Pa., Oct. 29.-William H. Smith. McKeesport's missing tax collector, was brought home, broken in mind, by his pastor, the Rev. J. A. Maxwell, of the First Baptist Church, Mr. Maxwell found Mr. Smith at the postofice in Baltimore yesterday afternoon. Mr. Maxwell arrived in Baltimore on Monday merning, and about 2 o'clock went to the postoffice, where after a wait of you did thus and so; now, why did you about half an hour, he found Smith, who not do this or that or something else? came to post a letter to his son in this

Mr. Maxwell induced him to return to his city. Smith had not tasted food since he left here last Thursday, and he was no a pitiable condition. It is not likely that any action will be taken against Smith, as he is gullty of no particular crime, except changing the assessments of a thousand or more citizens. The city assessors say that Smith's corrections of assessment were right in every particular had no right to change any figures in his books, even though he knew them to be wrong.

The Smith family issued a statement this morning to the effect that any person believing he had been wronged by the collector, could make known his claim, and it would is aladed in full

TO BE TRIED IN MARYLAND. Governor Stone Honors the Requisi-

tion for the Spiro Brothers. HARRISHURG, Pa., Oct. 29.-Governor tone has honored the regulation of Govfor the return ernor Smith, of Marylan to that State of Meyer Sarp, Bennett Spiro, Emanuel J. Spiro, F. d. Hart, and

in Waynesboro, Franklin County, and after years of business established a credit. On the strength of this, they secured many thousands of dollars' worth of goods from wholesale firms, and then failed. On taking an account of stock their creditors found very few goods, and on investigation it was ascertained that great quantities of goods had been ship ped to Baltimore, where they were stored

The men were arrested in Waynesbor and confined in the Chambersburg jall to be taken to Frederick, Mf., for trial. Governor Stone was asked to honor the requisition, to which objection had been made, and after argument, he decided to order the warrant to issue. The Spiros will go to Maryland for trial. It is said the victims of the conspiracy numer ninety-two.

The Governor has also honored the quisition of the Governor of Kansas for rving Billman, under arrest in Reading, nworth. Billman was a collector for

CRIME OF A JEAL JS MAN.

Murdered His Stepanughter and Then Committed Suicide.

ST. LOUIS, Oct. 29.-Henry Schroe f 3301 North Eleventh Street, today killd his seven-your-old stepdaughter, Katle Kirst, and, after attempting to murder his other stepchild, Henry Kirst, aged eleven, he sear a built through his own brain. Death resulted instantly. About 2 o'clock in the afternoon, Schroeder returned from work. To his neighbors he announced that he was go-

ing up to the Ames School, a few blocks from the house, to see his children. Katie and Henry Kirst were playing about th ather walked up to them. "I want you to come home," he said. I have something to tell you."

Taking little Kane by the arm be led her from the yard, and the boy followed. As they renched the house, Schroeder led way upstairs. With the two children hurried to the kitchen, and drawing atle alongside of him pulled a revolver om les pocket and freed. The bullet erred the child's heart, and she sank there heres to the floor. Henry, as he whis sister fall, rushed from the ther, who was leveling the revolver a

cond time. Mrs. Katherine Redecker, grandmothe Mrs. Eatherme Redecarr, grandmoner the children, hearing Katle's screams, arried into the from Schröseler, pushing the aged woman adde, shot at the oy, the builet grazing his grandmother's and. Henry managed to get the door ben, and ran to the porch screaming or help. Schröseler followed quickly and not another shot that went wide of the ceing box.

there is no content the house, and the himself necess the bed in the of the room, fired a bullet through the himself necessary of the affection of the affection of the affection.

PARTS Oct. 19.—The Government has grouged a temporary loss from the

0. R. R. Oct. 31.

Tickets good leaving Washington 7:05 a. m. arriving Buffulo 8:15 p. m., same day. Good notion within seven days. Through pariot cars Route via Philadelphia, thone Lehigh Valley Last excursion from Washington.

Flooring only \$1.25 per 100 ft. and

CAPTAIN LEMLY TEDIOUS.

Grows Wearisome in His Cross

Mr. Stayton's Carefully Prepared Interrogatories Used as a Basis for Innumerable Questions-The Applicant Indisturbed by the Tire. some Ordeni-Little Progress Made by the Judge Advocate-The Henring Likely to Last Some Time at the Present Rate-Spectators Leave

miral Schley was under the cross-fire of Captain Lemiy at the Court of Enquiry. The judge advocate's interrogatory shots prepared at the Stayton-Crowninshield question factory, however, caused as little harm as did the steel projectiles fired by the Spaniards at the admiral's lagship. Not once did the commander of the Flying Squadron "turn in caitiff With remarkable patience he withstood the long, tedious questioning, the major portion of which had only the jost remote connection with the subjects of the enquiry, and a great deal of which and no bearing upon the points in the preest whatever.

It seemed to the spectators, if not actually to the Court itself, to be merely a matter of physical endurance. Admiral Schley had an answer or an explanation for every question, with the exception of some trivial things which it would be impossible for any man to remember after a lapse of so long a time, to say nothing of a commander, who had so many ther things to occupy his attention.

Mr. Rayner sat quietly by during the entire day and let the judge advocate run on like Tennyson's brook. Only two or three times did he interpose, and then it was not to throw a bowlder in the urse of the stream of questions, but rather to remove obstructions and make more lucid some of the involved and per-

To the average observer it seemed that the judge advocate was picking flaws and finding fault with every movement made by Admiral Schley during the entire cam-paign. A great deal of the examination was after this style: "You stated that you did thus and so; now, why did you Again the questions were hypothetical: "If such and such had been the case, what would you have done; what would have happened?" This is an example: Q .- If Cervera had been seen coming out of Cienfuegos or going in from the seaward, what would you have done? them out.

Little Progress Made. Captain Lemly again read from the questions prepared by Mr. Stayton, and each one of these afforded a base from which numerous other minor interrogatories diverged. When the adjournment was taken yesterday it was surmised that the judge advocate had about approached the matter of the reconnoissance, and a considerable portion of today will doubtless be devoted to that. If the cross-examination proceeds no faster today than it did yesterday and the day before, Admiral Call and the second of the interrogatories distance, and a considerable portion of today will doubtless be devoted to that. If the cross-examination proceeds no faster today than it did yesterday and the day before, Admiral and the cannot ten the siletance. Q.—The speed was set by signals? A.—The speed was set by signals?

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A.—The speed was set by signals? nation proceeds no faster today than it did yesterday and the day before, Admiral Schley will be upon the stand two days longer. There was a fair-sized audience Benjamin Hart, who are charged with when the Court convened in the morning, conspiracy to defraud certain firms in but the proceedings had not advanced far

Court, to make as part of the records the signal records of the New York and Brooklyn as shown by the books of the 3; the Brooklyn May 18 to June 2, inand 19 is the time when the Flying Squad-

The cross-examination of Admiral Lemly as follows: had a distinct recollection that the Eagl passed within hell in the Yucatan Chan-

A. Yes.
Q. Den't you think that, in view of the cit that your equadron was passing in apposite direction, you are in error?
A. No, I do not think so.
Q. Do you remember whether she restred anything else, or simply "No

keet.
Q.—How far inside?
A.—I should say about a mile, although don't remember exactly,
Q.—Is that report strictly in concert with the entry in the log?
A.—I should say se, yes.

Queries on the Blockndes. Q .- Your bulletin stated that the Span sh squadron had sailed from Santiago

Q.—About how for away was Santiago at any time? Forty—ight hours did you not say?

A.—That would depend entirely upon the speed of the saunaron, but giving it a good range on the sea i should say, if the segradron had been in condition, twen-

Examination of Schley.

For almost four hours yesterday Ad-

A great deal of time was wasted in eading signals already in evidence. The oints which the examination covered reated to the coaling question, the retrograde movement, with some mention of the blockades, especially that before San-tiago. The questioning was desultory.

ger. There was a fair-sace on the Court convened in the morning, at the proceedings had not advanced far fore more than half the seats were valued. The examination wearied everyne, unless perhaps it was a means of ecreation to the judge advocate, Before the questioning of Admiral Schley was resumed the judge advocate addressed the Court in relation to admitting certain evidence, as follows:

Captain Lemly—If the Court please, I beg to have the chart containing a man of the harbor of Santiago embodied as a part of the evidence. I beg further to any art of the evidence of the massent that it is proposed with the assent that the regular.

Q—Was there any A—No: I do not see that the regular.

A—That depends upon circumstances.

Q—Do you not, even in the very little affairs of life, follow the flag?

A—Yes, there is no doubt about that.

Q—How many boats did you see stretched across the harbor of Clenhagor when you got the impression that mining of the harbor of Santiago embodied as a part of the evidence. I beg further to any of the arrow of the synd of the any on the require that, or custom.

Q—Was there any A—No: I do not accust the that the regular.

A—That depends upon circumstances.

Q—How many boats did you see stretched across the harbor of Clenhagor when you got the impression that mining of the any one part of the many at any rate, that the vessels of a squadron should follow the flag?

A—That depends upon circumstances.

Q—How many boats did you see the clear that the regular court is any of the navy, at any rate, that the vessels of a squadron s dusive, and July 2 and 3. I think May 18

That was the request of counsel, I beall, although I have made no such re-

A.-No, sir, I did not.
Q.-Where was it?
A.-The Elagic had passed just after we had left Key West on the morning of the 19th and then communicated with

news?"

A. Simply "No news."

Q. Now you state that on the night of May 21, when the squadron was stopped, the Secreton was sent in as picket post.

A. Yes, she was sent in ahead of the stopped. A.—1:8, see was sen in an according to squadron.

Q.—Now I want to ask you to stare shout that, and to look at the Scorpion's og, nage 19, from midnight to 4 a. m.

A.—You mean from midnight to 4 a. m.? She wasn't necessarily in absolute touch with us. She was absend.

Q.—Do you regard her as having served us a picket boat?

A.—I should say so, yes.

y-five or twenty-six hours. The forty

eight hours that I referred to was a plan that I had myself formed.

Q.—You state that the entrance of the port of Clenfuegos was not practicable at night. Now would the passage of forty-cight hours have thrown the Spanish squadron in the harbor after your own squadron had arrived there?

A.—I do not understand that it was a forty-eight-hour trip for them. I spoke of that distance as being for my squadron and not theirs.

Q.—You say that the blockade was maintained off Clenfuegos at a distance of from three to four miles?

A.—Yes,

Q.—How was that distance determined?

A.-res.
Q.-How was that distance determined?
A.-Well, it was my own calculation.
The appearance of the surf and the land seemed to indicate that distance. Q.-That is what you referred to as a

Q-That is what you referred to as a four-point bearing.
A-Yes.
Q-Did you ever plot the positions upon the chart?
A-Only for my own information. Perhaps with pencil marks, but entirely for my own information.
Q-They were not made, then, as a matter of record?

A.—No.

Q.—Now you say you maintained a watch on deck, remaining there nearly every night until after midnight so that no incident should escape you, and further that scarcely any incident escaped your observation?

A.—Ves A.—Yes. Q.—Did you see a gunboat in the har-

Q.—Did you see a gunboat in the harhor?

A.—I don't remember that. I have an
indistinct recollection of seeing a mast
or the top of a pipe. There was no appearance of an auxiliary cruiser.

Q.—My question referred to a gunboat,
not an auxiliary cruiser.

A.—I don't remember seeing anything
in the harbor other than a steam launch.
Q.—I want you to look at the log of the
Brooklyn for May 24 and see if it does
not appear that the vessels steamed in
during the morning watch.

A.—Yes, it appears that they did.
Q.—Now, how can you reconcile that with
your statement made on direct examination that the current was sending you in?

A.—Simply the fact that my own recoilection is that during the day and night
we did do so.

ron was closer in by night than by day, both at Clenfuegos and Santiago: is that right? The Brooklyn's Log.

A.-I think that is true: Captain Lemly referred to the remarks found in the log of the Brooklyn for May stopped; harbor entrance distant about Q.-Is that correct?

A.-Yes. Q.-Now look at May 25, 4 to 8 n. m. watch. The course is steered 6 o'clock north by east; 7, varied; 8, varied. Admiral Schley-What distance does it Captain Lemly-The distance is not given here, but in the remarks of that same watch at 5:20 it states: "Started ahead

slow, steaming toward Cienfuegos, and 6:25 stopped, about three miles from en-6:25 stopped, about three miles from entrance to harbor."
Admiral Schley read the remainder of the log for that day. The judge advocate read further from the log of the Brooklyn for May 24, and then asked:
Q.—Do these entries, or do they not, show that the vessels steamed both in and out on the Clenfuegos blockade and in varying directions?
A.—It does show that, but it does not show the distances.
Q.—It shows the time of steaming?
A.—Yes, but unless we know precisely what the speed was we cannot tell the distance.
Q.—The speed was set by signals?

Q.—Well, is it not an unwritten law of the navy, at any rate, that the vessels of a squadron should follow the flag?
A.—That depends upon circumstances.
Q.—Do you not, even in the very little affairs of life, follow the flag?
A.—Yes, there is no doubt about that.
Q.—How many boats did you see stretched across the hirbor of Clenflagoe when you got the impression that mining operations were going on?
A.—Three or four, I should say; several of them, anyway.
Q.—Did anyone bring this matter to your attention or did you observe it yourself?
A.—I do not recoilect that anyone did. I saw it myself.

The McCalla Memorandum.
Q.—Are you quite sure that you received but one copy and my flag secretary has been unbrance of ever having received but one copy and my flag secretary has been unbrance of ever having received but one copy and my flag secretary has been un-

aut one copy of the McCana furnity of the Mc copy, and my flag secretary has been unable to find but one among my papers, where it would have been if there had where it would have been if there had been another. I am quite sure that I never saw but one,
Q.—Do you think you can state specifically in regard to any papers which you received at any time?
A.—All of my papers were put up in a box, and I do not think, as far as I know, that there was a single paper left on board the ship, except perhaps some blue prints.

-And the second copy of the "Dear Q.—And the second copy of the "Dear Schley" letter? A.—Yes; that was put into an envelope and retained by accident, as I explained

and reinined by accident, as I explained the other day.

Q.-Yeu overlooked, did you not, the navy regulation directing flag officers to send in their papers to the department when they have completed their service, until the department called your attention to it?

A.-I explained that the other day. My papers were all boxed up and by mistake they were placed with any luggage and taken with me to Porto Rico. No: I know perfectly well that that is a many regulaerfectly well that that is a mavy regula

on. Q.-You stated that you knew the copy of the memorandum accompanying order No. 8 and delivered by the Hawk was the first one you received, and that you rec-ognized it by the marks upon the back. Did you receive two copies of that memo-

randum?

A—I think there were two copies.

Continuing the judge advocate took up
the matter of the winds prevailing of
Clenfuegos during the time the Flying
Sauadron was there, but the cridence upan this point was mostly too technical to
be interesting to the lay mind. Couling Difficulties Reported. Q.-Why did you, on May 23, the day the Iowa couled from the Merrimac, inorm Admiral Sampson, "Coaling off Cien-

Tuegos is very uncertain."

A.—Simply on account of the sea.

Q.—But you did coal a battleship there Q.-Dul you in the same information to Admiral Sampson inform him that one of

day.

A. (after reading the despatch)—This does not seem to state so.

Q.—There is no information in that despatch of May 2 that you couled a ship.

A.—There seems to be none. I have an indistinct recollection, however, that I did so inform him either by telegraph or letter. Ind you not say that on account of iri coal supply you could not effect-blockade the harbor of Santiago?

A.-Well, I think that all the vessels ment westward was the proper strategic

were more or less short of their complement, considering the fact that they ought to be fit for all and any service. In arriving off a port we should be more than one-half full of coal.

Q-The Brooklyn was more than one-half full, was she not?

A-I don't think there was any question about that.

Q-How about the Massachusetts and the Texas?

A-Well the Massachusetts was a little short of coal.

Q-The coilier which was with the vessels had three or four thousand tons of coal on board, did she not?

A-Yes, I think she took 250 tons on

Yes, I think she took 250 tons on probably more.

A.—Yes, I think she took 250 tons on and probably more.

Q.—Let us see the logs?

A.—The lows said on the 23d that she was prepared to take cost. The Massachusetts was given permission to coal. The Texas said: "May we coal first?" These are the signals. These are the signals. These are the signals.

Departure From Clenfuegos. Q .- At what hour did you learn that the

Q.—At what hour did you learn that the Spanish ficet was not in Clenfuegos?

A.—About 4 o'clock on the 24th, as nearly as my recollection serves.

Q.—At what hour did the Flying Squadron sail for Santiago?

A.—My impression is that we formed column somewhere between 5 and 6 o'clock and stood off on point of position south by east and then stopped, leaving the Castine on the front of the harbor.

Q.—Look at the records in the matter.

A.—Yes, the information was secured, I think, from Captain McCaila.

Q.—Look at the records.

A. (After looking at the records)—Yes, 5:15 o'clock; that was made from data given me by Captain McCaila. The record shows that at 5:15 o'clock the Brooklyn signaled to the fleet to form column.

Q.—You made signals on leaving Clentus, and the signals of the fleet to form column.

Q.—You made signals on leaving Clentus, day on the collection is that it was dark enough to read the Ardois or light signals.

Q.—Up to what hour were these signals used?

A.—They appear to have been used up to 9:25 p. m. Spanish fleet was not in Clenfuegos?

enough to read the Ardols or light signals.

Q-Up to what hour were these signals used?

A.—They appear to have been used up to 9:25 p. m.

Q-You were ordered to mask your movements, were you not?

A.—Yes; that is, we were ordered to mask if we proceeded in the daytime. The idea was to mask the real direction as much as possible. Our signals could not be read by anyone but ourselves.

Q.—You passed that night on the first watch near enough to Trinidad to see lights on shore, did you not?

A.—No. I do not remember of sceing any lights on shore. I remember seeing the reflection of lights upon the clouds, but could not see the lights themselves.

Q.—Look on pase 29 of the Brooklyn's log, last watch, 8 p. m. to midnight: "Passed a cluster of lights about ten miles distant, apparently a village." That is there, is it not?

A.—I see that, but I repeat that I did not see the lights. Perhaps they may have been seen.

Q.—When you left Clenfuegos, where did you think the Spaniah squadron was?

A.—Well, I don't exactly recollect what my impressions were at that time.

Q.—Give me your best judgment in the matter?

A.—Well, according to the information which came to me, I supposed that if it was not in Santiago it was somewhere in the neighborhood.

Q.—Did you give any special instructions to your captains in regard to this passage from Clenfuegos to Santiago?

A.—No special instructions, only the ordinary instructions.

Q.—Now about the Adula. Do you know that some time after being sighted she was captured and condemned as a prize?

A.—Well, I don't know whether it was the same vessel or not.

Q.—Admiral, did you say in one of your communications to the department that the weather since leaving Key West was bosterous?

A.—Yes, I said that.

A.—Yes, I said that. Varying Weather Conditions. Q.-Now, look at your log of the Brook-lyn and tell us whether it was bolsterous

on the 19th.

on the 19th it was, after we left, that the weather was not so bolsterous.

Q-Was it bolsterous on the 20th? A .- Only so far as the sea was con-

A.—Yes.
O.—Now, I want to find out how you got A.—Yes.

Q.—Now, I want to find out how you got this information.

A.—My recollection is that it was given to me by one of the officers.

Q.—Did you not say that Southerland signaled to the flagship that he was dangerously short of coal and had only about a day's supply?

A.—He came up under the quarter of the flagship and reported, I do not remember whether it was by signal or not, that his coal supply was short.

Q.—Did not the Eagle signal to you before she left Clenfuegos that she had twenty-seven tons of coal on board? [The judge advocate consults Lieutenant Ward,] Oh, no, that she had five days' coal supply and that in six hours she could take enough for nine days.

Admiral Schley consulted the Brooklyn's log book and Captain Lemby read from the log of the Eagle.

"Brooklyn to Eagle. Thow many days' coal have you, steaming ten knows?"

"Engle to Brooklyn, Flye flays; could take enough in six hours to last nine days.

Admiral Schley—That appears in my log

take enough in six hours to last nine days.

Admiral Schley-That appears in my log as nine days, steaming at ten knots.

Captain Lemly admirted that this was correct, although it was not so stated in the log of the Eagle,

Captain Lemly then went into the matter of the condition of the baronecter during the progress of the fleet from Clenfuegos to Santiago and during the retrograde movement, and also as to the forca of the wind, but developed little or nothing which impaired Admiral Schley's defence or added the "Crowninshield case." Its only evident effect was to weary the Court

Court Q. You state that in leaving your station you did not disobey orders, because you returned to your station without further instructions. Am I right about that?

you returned to your station without further instructions. Am I right about that?

A.—I said that

Q.—Upon the receipt of your instructions you did, nevertheless, leave your station, did you not, after the receipt of three instructions?

A.—Yes, I did, and for the reason, first, that Captain Sigabee, who was a scout or who commanded one of the scout boars blaced in front of the harbor, declared that he did not believe the squadron was there; second, Edhard Nunez, the Cuban pilot, stated that he did not believe that the saundron could enter that harbor; and, third, the despatch No. 7 with the accompanying memorandum in which Admiral Sampson minimized the importance of this squadron being there and the fact that the department's telegram which reached me on May 25 was no ambiguous in its terms in gatherizing me to coal at Captan Three of the Captan in gatherizing me to coal at the battleships had been coaled on that

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